

Message Text

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ACTION L-03

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FM AMEMBASSY ROME

TO SECSTATE WASHDC 1792

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E.O. 11652: N/A

TAGS: CPRS (L/C)

SUBJECT: CLAIM OF RAYTHEON CORPORATION AND MACHLETT LABORATORIES

FOR LEGAL ADVISER AND EUR/WE FROM AMBASSADOR

REF: ROME 12207

1. I MET WITH FOREIGN MINISTER MORO EVENING NOVEMBER 9 ALONG WITH OTHER TOPICS COVERED SEPTTEL TO INFORM HIM OF USG'S PREPARATION OF DIPLOMATIC CLAIM IN RAYTHEON/MACHLETT CASE AND TO AFFORD HIM OPPORTUNITY TO SUGGEST PRACTICAL INFORMAL ALTERNATIVE. WHILE NOT SANGUINE IN RESPECT TO POSITIVE BENEFITS TO CLAIM OF THIS APPROACH, I FELT MY LONG PERSONAL FRIENDSHIP WITH MORO DEMANDED BOTH ADVANCE NOTIFICATION AND THE SAME POSSIBILITY I HAD OFFERED HIS PREDECESSOR MEDICI TO PROPOSE A MEANS OF AVOIDING A FORMAL CLAIM.

2. AS I HAD ARRANGED FOR THE POLITICAL AND LEGAL OFFICES OF THE MINISTRY TO BE ADVISED IN ADVANCE OF MY INTENTION TO RAISE THIS ISSUE WITH THE FOREIGN MINISTER, MORO HAD BEEN BRIEFED BY HIS STAFF ON THE RAYTHEON/MACHLETT CASE. WHILE APPRECIATIVE OF Y REASONS FOR RAISING THE MATTER, HIS POSITION WAS THAT THE GOI HAS STRONG LEGAL GROUNDS IN ITS ASSESSMENT THAT NO BASIS FOR A CLAIM EXISTS. I INFORMED THE FOREIGN MINISTER THAT THE FORMAL SUBMISSION OF THE CLAIM WOULD BE ACCOMPLISHED BY DIPLOMATIC NOTE IN A MONTH OR SO, WHEN THE FINAL DOCUMENTATION IS READY.

3. IN VIEW RIGIDITY GOI POSITION EVEN AT HIGHEST POLITICAL

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LEVELS THERE NO ALTERNATIVE BUT ESPOUSAL OF FORMAL CLAIM AND

I SO RECOMMEND. THE DEPARTMENT IS REQUESTED TO PREPARE AND
TRANSMIT THE NECESSARY DOCUMENTATION AND INSTRUCTIONS.

4. I AM MOST GRATEFUL FOR POSITIVE CONTRIBUTIONS FABIAN
KWIA TEK AT RECENT ROME MEETINGS ON CLAIM AND THINK DEPARTMENT
FOR AUTHORIZING HIS VISIT. VOLPE

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